

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KIMBERLY LUDERUS,

Plaintiff,

v.

U.S. HELICOPTERS, INC.,

Defendant.

No. 12 CV 5094  
Judge James B. Zagel

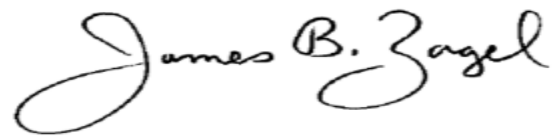
**MEMORANDUM OPINION AND ORDER**

On February 25, 2013, I entered an order dismissing Plaintiff's one-count Complaint for gender discrimination and granting her leave to amend. The original Complaint was dismissed because it did "not allege a single fact from which this Court [could] plausibly infer that [Plaintiff] is entitled to relief." Simply put, Plaintiff did not plead any facts to describe *how* she was subject to gender discrimination. Rather, the complaint contained only a threadbare recital of the basic elements of a Title VII claim. Plaintiff has now filed an Amended Complaint in which she lists six male coemployees and alleges that they engaged in certain conduct for which they were not terminated. This list is meaningless, however, because Plaintiff *still fails to allege what happened to her*. I cannot plausibly infer gender discrimination because I have no facts by which to compare Defendant's treatment of Plaintiff to Defendant's alleged treatment of similarly situated male coemployees. This case is dismissed with prejudice.<sup>1</sup>

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<sup>1</sup> I cannot tell whether Plaintiff has no case and her counsel is doing his best to state a claim without violating Rule 11, or if Plaintiff has a case and her counsel's performance has fallen below a basic level of competence. If it is the latter, the Plaintiff may wish to pursue a malpractice claim.

ENTER:

A handwritten signature in black ink that reads "James B. Zagel". The signature is written in a cursive style with a large, looping initial "J".

James B. Zagel  
United States District Judge

DATE: June 13, 2013